

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DENTAL MONITORING,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 22-647 (WCB)
)	CONSOLIDATED
GET-GRIN INC.,)	
)	
Defendant.)	


AMENDED SCHEDULING ORDER

On July 27, 2023, the Court issued an order consolidating C.A. No. 23-432 (WCB) with C.A. No. 22-647 (WCB) for all purposes, including trial, with all papers to be filed in C.A. 22-647 (WCB). D.I. 53. The Court further ordered the parties to meet and confer to submit an amended scheduling order for the consolidated case by August 10, 2023. *Id.*

The parties met and conferred regarding an amended scheduling order and did not reach agreement. The parties present their differing proposals, which largely stem from their different proposed trial dates, below for the Court's consideration. The proposals are in reference to the Scheduling Order entered in C.A. No. 22-647 on August 5, 2022 (D.I. 14), as amended (D.I. 16, 38, 51).

The court has considered the parties' proposals and will adopt the plaintiff's proposed schedule, with some modifications. The table beginning on the next page sets forth the modified dates that will govern in this case.

IT IS SO ORDERED this 17th day of August, 2023.



WILLIAM C. BRYSON
UNITED STATES CIRCUIT JUDGE

Deadline	Previous Date	Revised Date
Application to Court for Protective Order	September 16, 2022	N/A The parties agree that the Protective Order (D.I. 21) and HIPAA Qualified Protective Order (D.I. 41) apply to the consolidated case.
Rule 26(a) Initial Disclosures	September 8, 2022	August 24, 2023
Default Standard for Discovery Initial Disclosures (¶ 3)	September 8, 2022	August 24, 2023
Plaintiff's Disclosure of Asserted Claims and Infringement Contentions Served (¶ 4)	October 18, 2022	August 24, 2023
Document Production Accompanying Disclosure of Asserted Claims and Infringement Contentions Served (¶ 5)	October 18, 2022	September 25, 2023
Disclosure of Invalidity Contentions and Accompanying Document Production (¶¶ 6–7)	January 11, 2023	September 25, 2023
Exchange list of term(s)/phrase(s) needing construction	June 20, 2023	October 2, 2023
Joint Claim Construction Chart Filed	July 6, 2023	October 11, 2023

Deadline	Previous Date	Revised Date
Plaintiff's Claim Construction Brief Served	July 27, 2023	November 1, 2023
Defendant's Claim Construction Brief Served	August 17, 2023	November 22, 2023
Plaintiff's Reply Claim Construction Brief Served	August 31, 2023	December 6, 2023
Defendant's Sur-Reply Claim Construction brief Served	September 15, 2023	December 20, 2023
Joint Claim Construction Brief Filed	September 21, 2023	December 27, 2023
Meet and Confer Confirmation and Amended Claim Chart	September 28, 2023	January 3, 2024
Hearing on Claim Construction	October 19, 2023	To be determined
Completion of Document Production	October 19, 2023	January 18, 2024
Joinder of Parties and Amendment of Pleadings	November 21, 2023	February 1, 2024
Completion of Fact Discovery	January 19, 2024	February 29, 2024
Expert Report on Issues Where Party Bears Burden of Proof Served	April 18, 2024	May 9, 2024

Deadline	Previous Date	Revised Date
Responsive Expert Report on Issues where Party Does Not Bear Burden of Proof Served	July 17, 2024	July 18, 2024
Reply Expert Report on Issues where Party Bears Burden of Proof Served	August 30, 2024	September 12, 2024
Completion of Expert Discovery	October 4, 2024	November 7, 2024
Case Dispositive and <i>Daubert</i> Motions Filed	November 7, 2024	December 12, 2024
Oppositions to Dispositive and <i>Daubert</i> Motions Filed	December 12, 2024	January 16, 2025
Reply Briefs in Support of Dispositive Motions and <i>Daubert</i> Motions Filed	January 16, 2025	February 13, 2025
Joint Proposed Pretrial Order Filed	March 31, 2025	March 31, 2025
Jury Instructions, Voir Dire and Special Verdict Forms Filed	March 31, 2025	March 31, 2025
Pretrial Conference	April 24, 2025	To be determined
Trial	May 19, 2025	May 19, 2025